



Atty. Docket No.: 8039/1090

PATENT

RECEIVED  
TECH CENTER 1600/2800  
JUL 06 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Riechmann, et al.  
Serial No.: 09/710,444  
Filed: November 10, 2000  
Entitled: "Selection System"

Examiner: B. Celsa  
Group Art Unit: 1627  
Conf. No.: 2736

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to: U.S. Patent & Trademark Office, Box: Sequence, P.O. Box 2327, Arlington, VA 22202.

Mary Wilson

Name of Person Mailing Paper

Signature of Person Mailing Paper

U.S. Patent and Trademark Office

Box: Sequence

P.O. Box 2327

Arlington, VA 22202

**TRANSMITTAL LETTER**

Enclosed for filing the above-identified patent application, please find the following documents:

1. Amendment in Response to Notice to Comply dated February 27, 2002;
2. Copy of Notice to Comply;
3. Paper Copy of the Sequence Listing (59 pgs);
4. Computer Readable Copy of the Sequence Listing;
5. Sequence Statement Under 37 C.F.R. § 1.821(f) and (g);
6. Petition for Four Month's Extension of Time;
7. Check in the amount of \$720.00; and
8. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference 8039/1090. A duplicate of this transmittal letter is enclosed for this purpose.

Date: July 25, 2002

Respectfully submitted,

  
Name: Kathleen Williams

Registration No.: 34,380

Customer No.: 29933

Palmer & Dodge LLP

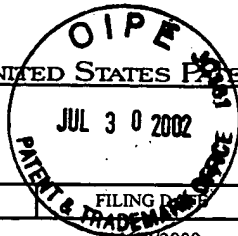
111 Huntington Avenue

Boston, MA 02199-7613 Tel: 617-239-0100

Mark J. Fitzgerald  
Reg. No. 45,928 A-  
Kathleen Williams



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,444	11/10/2000	Lutz Riechmann	8654/1090	5253

Palmer & Dodge LLP  
One Beacon Street  
Boston, MA 02109-3190

7590 02/27/2002

EXAMINER
----------

CELSA, BENNETT M

ART UNIT	PAPER NUMBER
----------	--------------

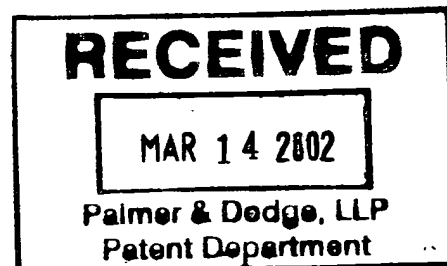
1627

DATE MAILED: 02/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

*mark*

Docket # Doreen  
Response due Notice to Comply  
Statutory period 3/27/02 (8/27/02)  
Palmer & Dodge LLP Drop  
Patent Department Dead  
Date





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/ 710,444			

EXAMINER	
ART UNIT	PAPER NUMBER
1627	5

Please find below a communication from the EXAMINER in charge of this application

***Sequence Rule Compliance: NOTICE TO COMPLY***

This application fails to comply with the sequence rule requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. This application **encompasses sequences needing sequence identifiers (e.g. see pages 9, 15, 24, 30, 35, 36, 38, figures etc.).**

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Celsa whose telephone number is (703) 305-7556. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Venkat whose telephone number is (703) 308-0570. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Bennett Celsa (au 1627) (Feb. 25, 2002)

BENNETT CELSA  
PRIMARY EXAMINER

JUL 3 0 2002

Application No. 09/710,444

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123  
For CRF submission help, call (703) 308-4212  
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response.

  
**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**

**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.